

Improvement Res. No. 1322-72

Resolution Adopted:

*Aug. 29, 1972*

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

*Sept. 21, 1972*

B.O. 142-72

DECLARATORY RESOLUTION NO. 1322-1972

for the vacation of the first alley east of  
Fletcher Avenue from the north property line  
of Wayne Trace to a point twenty eight (28)  
feet south of the north property line of  
Lot number 149, Fletcher's Addition.

ADOPTED: August 29, 1972

ADVERTISE NOTICE TO PROPERTY OWNERS:

NOTICES MAILED:

HEARING ON CONFIRMATION: WAIVER

CONFIRMED:

ASSESSMENT ROLL ORDERED: August 29, 1972

ASSESSMENT ROLL APPROVED: September 6, 1972

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs. Sept. 21, 1972  
at 3:30 pm

NOTICE SERVED: September 11, 1972

ASSESSMENT ROLL CONFIRMED: September 21, 1972

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the first alley east of Fletcher Avenue from the north property line of Wayne Trace to a point twenty eight (28) feet south of the north property line of Lot Number 149, Fletcher's Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley east of Fletcher Avenue from the north property line of Wayne Trace to a point twenty eight (28) feet south of the north property line of Lot Number 149, Fletcher's Addition.

of said alley

All as shown by a plan of such proposed Vacation/- ~~Opening - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

of said alley

The cost of said Vacation/- ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 148 to 160 inclusive all in Fletcher's Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, ~~water mains, gas mains, electric pole lines and conduits~~, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter Section Seven, Township 30 north, Range 13 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 29<sup>th</sup> DAY OF August 19 72.

Attest:

Secretary Board of Public Works.

Board of Public Works.

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

58-271-12

August 29, 1972

Date

B.O. 142-1972

CITY ENGINEERING DEPARTMENT

Dec. Imp. Res. No. 1322-1972 Vacation of the first alley east of

Subject Fletcher Avenue from the north property line of Wayne Trace, etc.

Please prepare Assessment Roll of Benefits and Damages.

J. D. Boswell  
R. L. Bonar  
W. G. Williams  
BOARD OF PUBLIC WORKS

ajf

Enc. Res. and P.O. List.

RECEIVED

AUG 29 1972

CITY ENGINEERING DEPT.

Signed

Reply:

August 31, 1972



RB

Assessment roll of benefits and damages completed and attached.

*Kenneth N. Traylor*  
Kenneth N. Traylor  
Street Engineer

id  
attach.

58-287-7

Signed



58-271-12

B.O. 142-1972

August 29, 1972

CITY ENGINEERING DEPARTMENT

Dec. Imp. Res. No. 1322-1972 Vacation of the first alley east of

Fletcher Avenue from the north property  
line of Wayne Trace, etc.

Please prepare Assessment Roll of Benefits and Damages.

J. D. Boswell

R. L. Bonar

W. G. Williams

BOARD OF PUBLIC WORKS

ajf

Enc. Res. and P.O. List.

OFFICE OF  
BOARD OF PUBLIC WORKS



58-271-12  
FORT WAYNE 2, INDIANA

B.O. 142-1972

Date August 7, 1972

To City Engineer

Subject Vacation--Fletcher's Addition

As requested, we are assigning the above Board Order to vacation of:

The first alley east of Fletcher Avenue from the north property line of Wayne Trace to a point 28 feet south of the north property line of Lot No. 149, Fletcher's Addition.

Dr. Jerry D. Boswell  
Ronald L. Bonar  
William G. Williams  
BOARD OF PUBLIC WORKS

RECEIVED

AUG 8 1972

CITY ENGINEERING DEPT.

Signed dk

Reply:

August 22, 1972

Declaratory Resolution, drawing and property ownership list completed and attached.

Necessary easements have been obtained.

A waiver for the public hearing is on file and will not be necessary.

*Kenneth N. Traylor*  
Kenneth N. Traylor  
Street Engineer

lc  
attach.



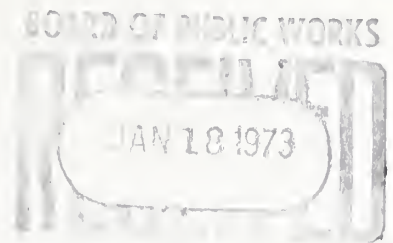
Signed \_\_\_\_\_

City of Fort Wayne



CITY-COUNTY BUILDING  
ONE MAIN STREET

January 16, 1974



ENGINEERING DEPARTMENT

FORT WAYNE, INDIANA 46802

Jerome J. O'Dowd  
Attorney-At-Law  
1008 Commerce Building  
Fort Wayne, Indiana 46802

Subject: Easement - Declaratory Resolution No. 1322  
Vacation of 6' Alley - Tokheim


Dear Mr. O'Dowd:

We are in receipt of the Grant of Easement prepared by you and executed the 11th day of January, 1974. Upon review of the easement we find it to be most satisfactory, with the exception of the condition commencing at the top of sheet 2 in which you refer to the Grantor's cooperation and assistance in the moving of material from over the top of the existing combination sewer. It is not clear to us at whose expense this might be in the event some repair of the sewer system might be needed in the future.

If Tokheim would be willing to clear the area of subject repair at their expense, we would find the above mentioned easement most satisfactory.

If there are any questions, please feel free to contact Mr. Wickensheimer or the undersigned of this department.

Yours truly,

  
Philip R. Boller, P.E.  
Chief Water Pollution  
Control Engineer

PRB/CW/jp

CC: Board of Works ✓  
Dr. Petro

Enclosure

P.S. - Please show who the document is prepared by on the bottom of the last sheet.



B.O. 142-1972

August 7, 1972

City Engineer

Vacation--Fletcher's Addition

As requested, we are assigning the above Board Order to vacation of:

The first alley east of Fletcher Avenue from the north property  
line of Wayne Trace to a point 28 feet south of the north property  
line of Lot No. 149, Fletcher's Addition.

Dr. Jerry D. Boswell

Ronald L. Bonar

William G. Williams

BOARD OF PUBLIC WORKS

dk





B.O. 139-69 **ALL ACTION RESCINDED** 8/14/72

54-43-8

Sept. 9, 1969

Date

To City Engineer

Subject Vacation - Fletcher's Addition

Received a petition from Tokheim Corporation to Vacate two alleyways in Fletcher's Addition.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

enclosed 2 drawings & 2 copies of petition (1 for City Plan)

ic

Signed

Reply:

August 4, 1972

*L.H.*

*and*

*Aug 2*

We are requesting all action to be rescinded on this Board Order(139-69).

We have divided that Board Order into two separate projects and are requesting two new Board Order numbers.

The descriptions are as follows:

- (1) The first alley north of Wayne Trace from the east property line of Fletcher Avenue to the west property line of the first alley east of Fletcher Avenue.
- (2) The first alley east of Fletcher Avenue from the north property line of Wayne Trace to a point 28 feet south of the north property line of Lot No. 149, Fletcher's Addition.

*Kenneth N. Traylor*  
Kenneth N. Traylor  
Street Engineer REP:id

Signed

# P E T I T I O N

Fort Wayne, Ind., September 5, 1969

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

Tokheim Corporation - The undersigned, owners of real estate on Wabash Avenue on the East, the Wabash Railroad right-of-way on, from the North, Fletcher Avenue on the ~~xx~~ West, Wayne Trace on the South respectfully petition for the passage of a resolution providing for the vacation of an alleyway within confines of the above indicated Tokheim property. Said alleyway being legally described as follows:

1. The South twelve (12) feet of Lot 149 in Fletcher's Addition to the City of Fort Wayne, Indiana.
2. A twelve (12) foot alleyway adjacent and East of an alleyway also proposed to be vacated to wit: The South twelve (12) feet of Lot 149 in Fletcher's Addition to the City of Fort Wayne, Indiana and then along the East property line of Lots 150, 153, 154 and 157 and along the West property line of the South 12 feet of Lot 148 and along the West property line of Lots 151, 152, 155, 156 and 158, all lots being in Fletcher's Addition to the City of Fort Wayne, Indiana

Tokheim Corporation

By:

*Robert C. ...*  
President

*Joseph ...*  
Vice-President and Secretary

# P E T I T I O N

Fort Wayne, Ind., September 5, 1969

To the Board of Public Works of the City of Fort Wayne:

07 139

Gentlemen:

Tokheim Corporation - The undersigned, owners of real estate on Wabash Avenue on the East, the Wabash Railroad right-of-way on, ~~from~~  
the North, Fletcher Avenue on the ~~xx~~ West, Wayne Trace on the South  
respectfully petition for the passage of a resolution providing for the vacation of an alleyway within confines of the above indicated Tokheim property. Said alleyway being legally described as follows:

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City of Fort Wayne, Indiana.
2. A twelve (12) foot alleyway adjacent and East of an alleyway also proposed  
to be vacated to wit: The South twelve (12) feet of Lot 149 in Fletcher's  
Addition to the City of Fort Wayne, Indiana and then along the East prop-  
erty line of Lots 150, 153, 154 and 157 and along the West property line  
of the South 12 feet of Lot 148 and along the West property line of Lots  
151, 152, 155, 156 and 158, all lots being in Fletcher's Addition to the  
City of Fort Wayne, Indiana

Tokheim Corporation

By:

*David Cassin (Kern)*  
President

*Paul L. Huerdman*  
Vice-President and Secretary



**TOKHEIM CORPORATION**

TELEPHONE 743-0361 AREA CODE 219

FORT WAYNE, INDIANA 46801

GASOLINE PUMPS AND DISPENSING SYSTEMS • AUTOMOTIVE FUEL PUMPS • PETROLEUM MARKETING EQUIPMENT

DAVID CUNNINGHAM  
PRESIDENT

September 5, 1969



Mr. Fred S. Ehrman, Chairman  
Board of Public Works  
City of Fort Wayne  
City Hall  
Fort Wayne, Indiana 46802

Dear Fred:

Attached please find two Petitions and two marked drawings showing alleyways which Tokheim Corporation wishes vacated. The alleys are located between properties of which Tokheim is the sole owner, and accordingly, a Waiver of Notice of Public Hearing on said Petition is attached hereto.

The alleyways are in the area of the plant shipping and receiving docks.

A Petition has been prepared requesting the City Plan Commission to hold a public hearing on the vacation of these alleyways, and it will be appreciated if the Board of Public Works will note the filing of these Petitions in your office for Resolutions, hopefully, to be adopted following public hearing and favorable action by the Common Council.

Your assistance in this matter will be very much appreciated.

Very truly yours,

TOKHEIM CORPORATION

President

DC: vb

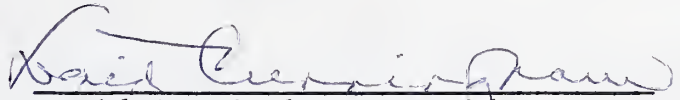
WAIVER OF NOTICE OF PUBLIC HEARING

TO THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE, CITY HALL, FORT WAYNE, INDIANA:


Tokheim Corporation has filed its Petition with the Board of Public Works for the vacation of the following described alleyways:

1. The South twelve (12) feet of Lot 149 in Fletcher's Addition to the City of Fort Wayne, Indiana.
2. A twelve (12) foot alleyway adjacent and East of an alleyway also proposed to be vacated to wit: The South twelve (12) feet of Lot 149 in Fletcher's Addition to the City of Fort Wayne, Indiana and then along the East property line of Lots 150, 153, 154 and 157 and along the West property line of the South twelve (12) feet of Lot 148 and along the West property line of Lots 151, 152, 155, 156 and 158, all lots being in Fletcher's Addition to the City of Fort Wayne, Indiana.

The aforesaid parcels of real estate are solely owned by Tokheim Corporation, and abut the aforesaid alleyways, and therefore, Tokheim does, by this instrument, hereby waive notice of public hearing on its petition for the vacation of said alleyways.

  
David Cunningham, President  
Tokheim Corporation

(CORPORATE SEAL)

  
Joseph J. Guidrey, Vice President -  
Secretary  
Tokheim Corporation

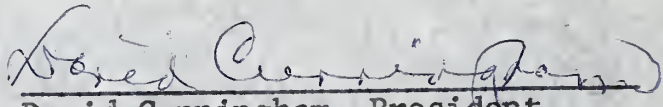
WAIVER OF NOTICE OF PUBLIC HEARING

TO THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE, CITY HALL, FORT WAYNE, INDIANA:

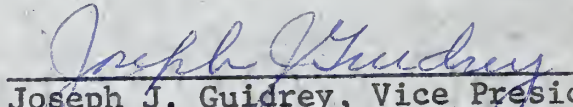
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David Cunningham, President  
Tokheim Corporation

(CORPORATE SEAL)

  
Joseph J. Guidrey, Vice President -  
Secretary  
Tokheim Corporation



WAIVER OF NOTICE OF PUBLIC HEARING


TO THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE,  
CITY-COUNTY BUILDING, FORT WAYNE, INDIANA:

Tokheim Corporation has filed its Petition with the  
Board of Public Works for the vacation of the following  
described alley-ways:

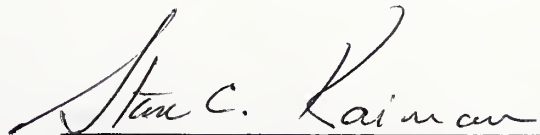
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Fletcher's Addition to the City of Fort Wayne,  
Indiana.
2. A twelve (12) foot alley-way adjacent and  
East of an alley-way also proposed to be  
vacated to-wit: The South twelve (12) feet  
of Lot 149 in Fletcher's Addition to the City  
of Fort Wayne, Indiana and then along the  
East property line of Lots 150, 153, 154 and  
157 and along the West property line of the  
South twelve (12) feet of Lot 148 and along  
the West property line of Lots 151, 152, 155,  
156 and 158, all lots being in Fletcher's  
Addition to the City of Fort Wayne, Indiana.

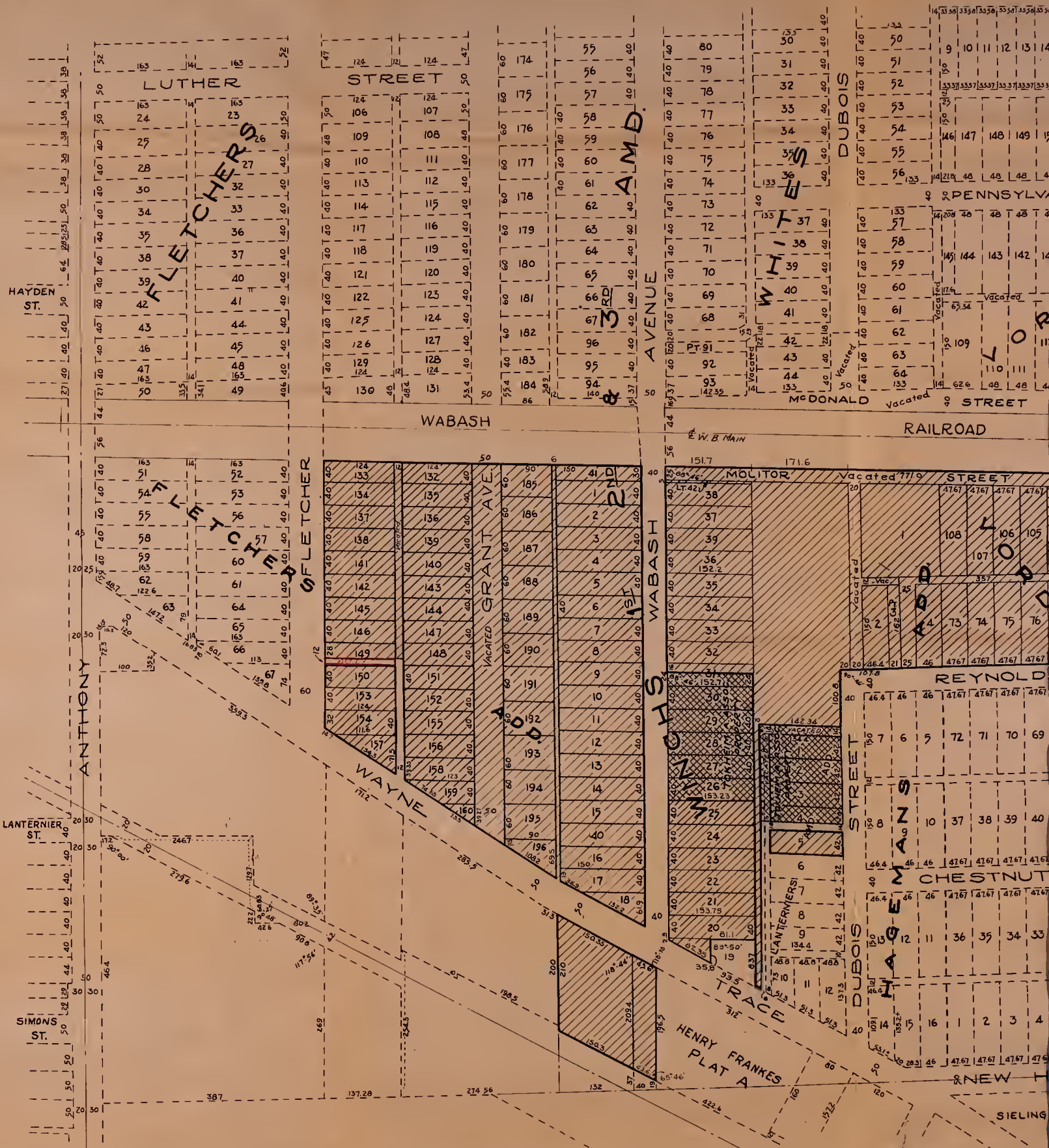
The aforesaid parcels of real estate are solely owned by  
Tokheim Corporation, and abut the aforesaid alley-ways, and  
therefore, Tokheim does, by this instrument, hereby waive  
notice of public hearing on its petition for the vacation of  
said alley-ways.

Executed this 9th day of August, 1972.

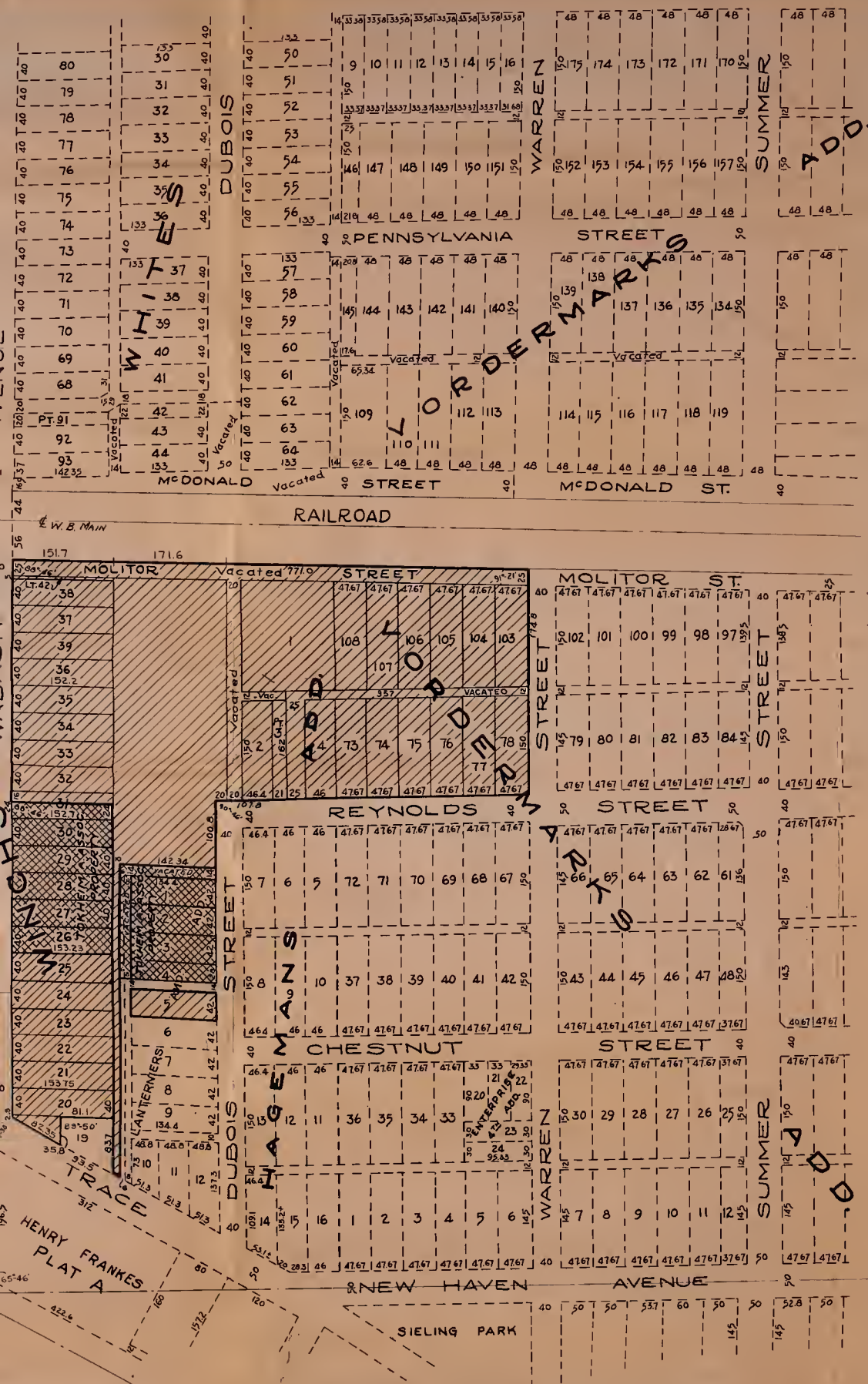
  
Joseph J. Guidrey  
Executive Vice-President  
and Treasurer  
Tokheim Corporation

(CORPORATE SEAL)

  
Stan C. Kaiman, Secretary  
Tokheim Corporation





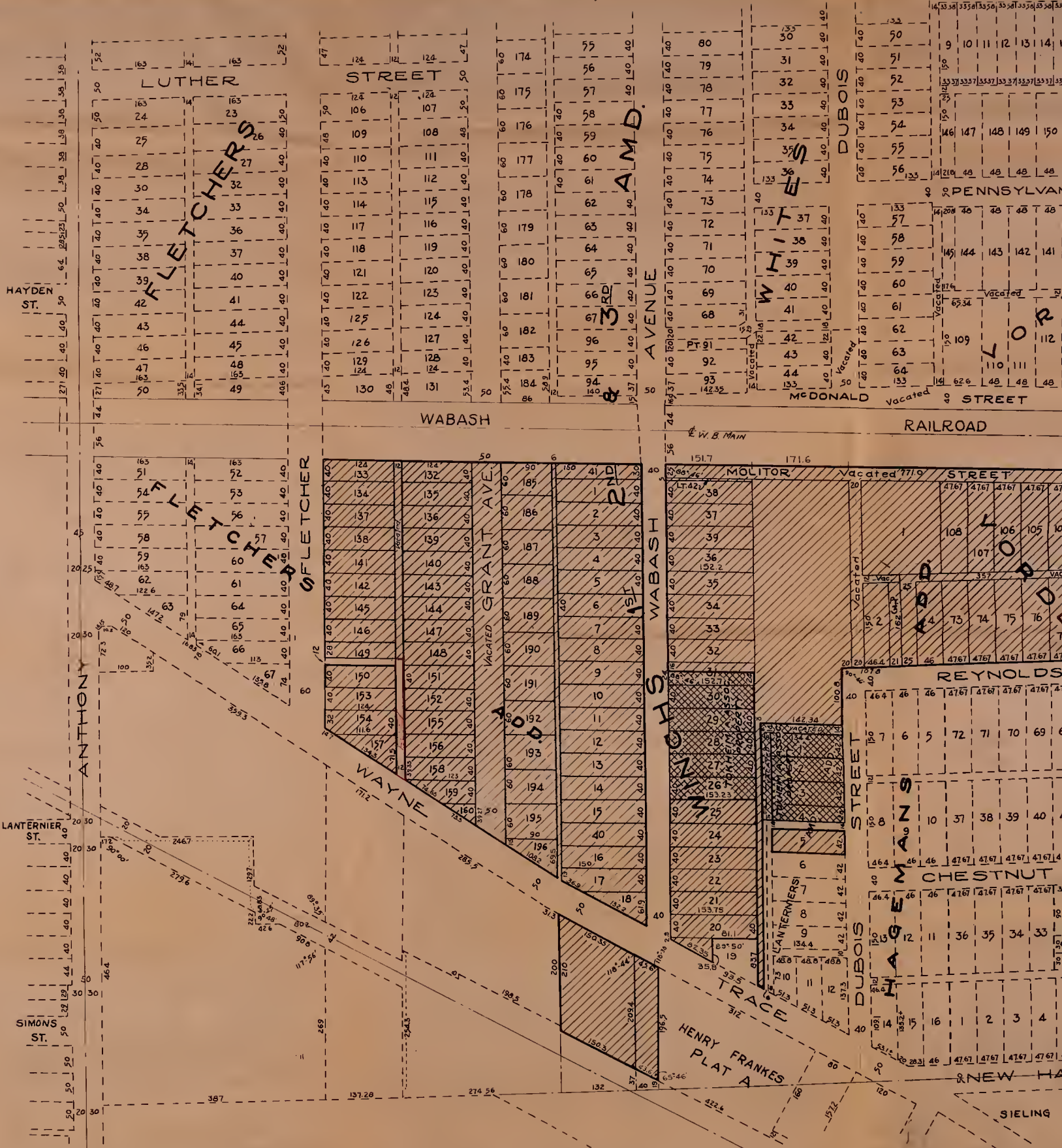


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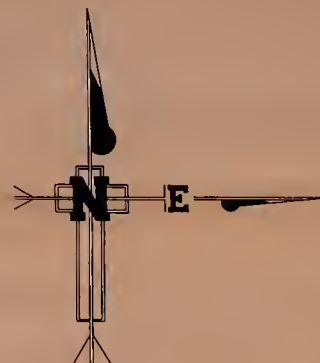
SUPERSEDES DRAWING 3472

|   |          |                 |
|---|----------|-----------------|
| TOKHEIM CORPORATION<br>FORT WAYNE, IND. DATE 4-6-54 |          | 405425          |
| PROPERTY LAYOUT                                     |          | SCALE 1" = 100' |
| DRAWN   | RECORDED | DATE            |
| TRACED  | RECORDED | DATE            |
| E.H.H.  |          | 4/12/54         |









SUPERSEDES DRAWING 3472

|   |  |                 |          |
|---|--|-----------------|----------|
| TOKHEIM CORPORATION<br>FORT WAYNE, IND. |  | DATE 4-6-54     | 405425   |
| PROPERTY LAYOUT                         |  | SCALE 1" = 100' | REVISION |
| DRAWN                                   |  | DATE            | REVISION |
| CHECKED                                 |  | DATE            | REVISION |
| TRACED                                  |  | DATE            | REVISION |

9/12/54

**Improvement Resolution No. 1322-72 For** THE VACATION OF THE FIRST ALLEY EAST OF FLETCHER AVENUE FROM THE NORTH PROPERTY

LINE OF WAYNE TRACE TO A POINT 28 FEET SOUTH OF THE NORTH PROPERTY LINE OF LOT # 149, FLETCHER'S ADDITION.

|    | OWNER'S NAME | ADDRESS        | NUMBER OF |       |       | DESCRIPTION         |
|----|--------------|----------------|-----------|-------|-------|---------------------|
|    |              |                | LOT       | BLOCK | O. L. |                     |
| 1  | TORRES CORP  | 160 Vahash Ave | 148       | 5,30' |       | FLETCHER'S ADDITION |
| 2  | "            |                | 149       |       |       |                     |
| 3  | "            |                | 150       |       |       |                     |
| 4  | "            |                | 151       |       |       |                     |
| 5  | "            |                | 152       |       |       |                     |
| 6  | "            |                | 153       |       |       |                     |
| 7  | "            |                | 154       |       |       |                     |
| 8  | "            |                | 155       |       |       |                     |
| 9  | "            |                | 156       |       |       |                     |
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| 65 |              |                |           |       |       |                     |
|    |              | TOTAL          |           |       |       |                     |





1322-1972